

### REMARKS

By the present amendment, claims 15 and 28-39 are pending in the application. All the pending claims are directed to elected Group II , a process for producing methanol and a catalyst for preparing methanol.

### Allowable Subject Matter

The applicants are pleased to note that the Office Action advises at page 3 that independent claims 15, 31 and 36 are allowable.

### Support For Claim Amendments

Support for the amendment to claim 28 --from alcohol-- is found in independent claims 28, 29 and 30 which are directed to a process for producing methanol by reacting with alcohol.

Support for the amendments to claims 29, 30, 32 to 35 and 39 may be found in original claim 2 which claims an alkali metal-type catalyst and/or an alkaline earth metal-type catalyst.

New matter is not being presented by the present amendment.

### §112, ¶1

Claims 29, 30, 32-35 and 37-39 were rejected under 35 U.S.C. §112, first paragraph.

The phrase "other than an alkaline metal alkoxide" was objected to.

In response to this rejection, claims 29, 30, 32-35 and 39 have been amended to remove this objected to phrase.

In view of the present amendment, it is respectfully requested that the rejection under 35 U.S.C. §112, first paragraph be withdrawn.

**§102**

Claim 28 was rejected under 35 U.S.C. §102(b) as being anticipated by Kotowski et al. (PL 157499; abstract only).

This rejection, as applied to amended claim 28, is respectfully traversed.

The English abstract of PL 157499, cited by the Office Action, discloses a catalyst used for the preparation of a mixture of aliphatic C1 - 4 alcs. with MeOH and isobutanol from a mixture of CO, H<sub>2</sub> and CO<sub>2</sub> (synthesis gas). The catalyst of the amended claim 28 of the present application is for producing a methanol from an alcohol. Such a catalyst facilitating the formation of methanol from an alcohol is not disclosed or suggested by the cited abstract of PL `499.

In addition, the catalyst of the cited abstract of PL `499 contains "Zr" as an essential element, which the catalyst of the present invention does not include. This patentably distinguishes the catalyst of the present application from the catalyst of the abstract of PL `499.

It is therefore submitted that amended independent claim 28 is patentable over the English abstract of PL 157499.

CONCLUSION

It is submitted that in view of the present amendment and foregoing remarks, the application is now in condition for allowance. It is therefore respectfully requested that the present amendment be entered and the application, as amended, be allowed and passed for issue.

Respectfully submitted,

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